

AMENDED

APPLICATION FOR PERMIT

Serial No.

12412

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR 12 1948
 Returned to applicant for correction MAY 4 1948
 Corrected application filed MAY 21 1948

The undersigned Albert H. Agee Name of applicant
 of Contact, County of Elko

State of Nevada, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Salmon River Name of stream, lake, or other source

2. The amount of water applied for is 0.47 second-feet. One second-foot equals 40 miners' inches

3. The water to be used for Irrigation Irrigation, power, mining; manufacturing, domestic; or other use

4. The water is to be diverted from its source at the following point:

N. $42^{\circ} 37'$ E. 5,081.0 feet from the 1/4 section corner common to Sections 15 and 16, T. 44 N., R. 63 E., M.D.B.&M. SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, T. 44 N., R. 63 E.

Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is 80.70 more or less

(b) Description of land to be irrigated

Describe by legal subdivision, or if on unsurveyed land it should

be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Use will begin about Apr. 15 and end about Oct. 15, of each year.

Month

Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Place of use

Give location of place of use by legal subdivision

(f) Point of return of water to stream

Describe in same manner as point of diversion

(g) State number and kinds of animals to be watered

(h) Use will begin about _____ and end about _____, of each year.

Month

Month

(i) Remarks

DESCRIPTION OF PROPOSED WORKS

Water to be diverted by means of earth and rock dam and ditch.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$1,000.00

6. Estimated time required to construct works 4 years

REMARKS: The lands listed in this application are not receiving the same amount of water as competing lands in Idaho, that is, farm lands in Idaho from this same source are receiving from four to six acre feet while the lands listed herein have been restricted to less than two acre-feet plus flood water.

On pages 10 and 11 of booklet entitled "Abstract of Claims to the Waters of Salmon River and its Tributaries" issued in 1916 by the State Engineer of Nevada, there is listed 1,139.54 acres as being irrigated on the Vineyard Ranch by water from Salmon River. This acreage would normally require 11.40 second-feet of water. By the decree of the United States District Court in Idaho this land was reportedly decreed approximately 1800.00 acre feet, or 6.00 second feet. The applicant herein applies for the difference between the normal requirement of 11.40 second feet and the decreed 6.00 second feet, or 5.40 second feet which is the total amount of water applied for under applications # 11987 and 12412 for the Vineyard Ranch from Salmon River.

As no additional land is to be put under irrigation, all of the present system of irrigation now of record is to be used in the distribution of the water where it can be effectively utilized. The additional points of diversion have been requested for the reason that it was thought more efficient use and distribution of the water could be effected.

These REMARKS are repeated on Application No. 12412 for the reason that both applications should be considered as operating together or as one unit as the Court Decree was so issued.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second.

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

use must be filed with State Engineer on or before

Man Filed APR 12 1948 under No. 11987

WITNESS MY HAND AND SEAL this day

JUL 15 1958

of

WITHDRAWN BY APPLICANT

Edmund A. Muth
STATE ENGINEER

(10)

State Engineer